

ATTORNEYS & COUNSELORS  
112 East Pecan Street, Suite 2100  
San Antonio, Texas 78205  
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www.jw.com



JACKSON WALKER L.L.P.

Cline H. White  
(210) 978-7765  
cwhite@jw.com

RECEIVED

APR 23 2003

Technology Center 2100

April 22, 2003

Ms. Verlen Green  
U.S. Patent Office  
Crystal Park 2, Room 2A-13  
2121 Crystal Drive  
Arlington, Virginia 22206

EXPRESS MAIL #EL715137945US

Re: U.S. Patent Application Serial No. 09/844,970 for Automated Database  
Publishing and Integrated Marketing System and Program; Inventor: James  
Savoie et al, filed April 29, 2001.

Dear Ms. Green:

Pursuant to our telephone conversation of today's date, I attached copies of materials filed with the Patent Office and communications received from the Patent Office for your use in reconstructing the Patent Office's lost file in connection with the above patent application. These documents are:

1. Copy of new Application Transmittal mailed April 27, 2001 with new application (28 pages of specification, claims, and abstract; 5 sheets of drawings; check for \$595); 2 assignments; declaration and power of attorney; non-publication request;

2. Copy of Postcard showing PTO's receipt of Items listed in #1;

3. Copy of Official Filing Receipt for Application Serial no. 09/844,970

4. Copy of Correspondence enclosing Petition to Correct Correspondence Filing Date for "Date-In" Incorrectly Entered or Omitted on Express Mail label, with Exhibits A-E; check for \$130;

5. Copy of postcard showing PTO's receipt of Items listed in #4.

6. Copy of Recordation of Assignment documents (2);

7. Copy of letter to Charlema Grant requesting status report

8. Copy of Letter from Charlema Grant of July 11, 2002, regarding "search"

for file.

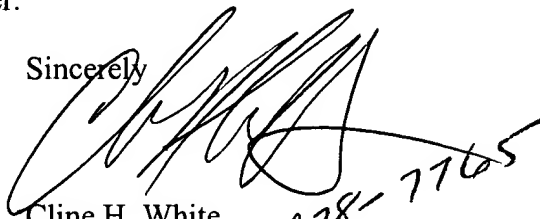
Austin  
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San Antonio

Ms. Verlen Green  
April 22, 2003  
Page 2

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If you have any questions or need further information, please do not hesitate to call.  
Thank you for your assistance in this matter.

Sincerely



Cline H. White  
210-978-7765

CHW:cjg  
Enclosures

3355254v1 303032/00002

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the new patent application of

Inventors: James SAVOIE and Pedro G. FILIPOWSKY

For: AUTOMATED DATABASE PUBLISHING AND INTEGRATED  
MARKETING SYSTEM AND PROGRAM

Enclosed are:

- ☒ 28 Pages of specification, claims and abstract.
- ☒ 5 Sheets of drawings.
- ☒ 2 Assignments (with cover sheets) of the invention to Alamo Iron Works, Inc.
- ☐ A certified copy of
- ☒ Applicant claims small entity status.
- ☒ Declaration and Power of Attorney For Patent Application.
- ☒ Non-Publication Request.
- ☐ Information Disclosure Statement By Applicant (with Form PTO-1449).
- ☒ Acknowledgment postcard.

Priority is claimed to U.S. Provisional Patent Application SN 60/200,784; filed on April 28, 2000.

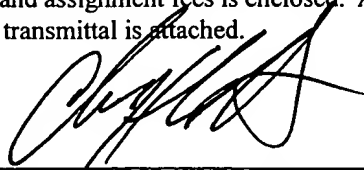
The filing fee has been calculated as shown below:

	Number Filed	Number Extra	Rate	Small Entity	Other Than A Small Entity	
				Fee	Rate	Fee
Basic Fee				355.		710.
Total Claims	16-20=	0	X 9.		X18.	
Indep. Claims	7-3=	4	X40.	160.	X80..	
Multiple Dependent Claim			135.		270.	
Total				515.		

2 Assignment Fees: 80.  
595.


☒ A check in the amount of \$595 to cover the filing and assignment fees is enclosed. Any deficiency in fees should be charged to Account #07-2400. A duplicate of this transmittal is attached.

EL548126105US

  
Cline H. White, Reg. No. 45,213  
Jackson Walker L.L.P.  
112 E. Pecan, Suite 2100  
San Antonio, Texas 78205  
(210) 978-7700

Express Mail label no. EL548126105US  
Date of Deposit: April 27, 2001

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service, Express Mail Post Office to Addressee service, under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

  
Bianca Grossweiler

P-3032.01(UTI)

CHW/BG

Date: April 27, 2001

In Re Application Of: James Savoie and Pedro G. Filipowsky  
Title: AUTOMATED DATABASE PUBLISHING AND INTEGRATED  
MARKETING SYSTEM AND PROGRAM

The date stamp of the U.S. Patent and Trademark Office will acknowledge receipt of:

- . Transmittal letter;
- . Check for \$595 for filing fee and assignments fees;
- . Declaration/Power of Attorney;
- . 2 Assignments with cover sheets;
- . Specification, claims, abstract (28 pages);
- . Five (5) sheet of drawings;
- . Non-Publication Request.

Express mail: EL548126105US

THE BACK OF THIS DOCUMENT CONTAINS A SIMULATED WATERMARK

**JACKSON  
WALKER**

ATTORNEYS AND COUNSELORS

L.L.P.  
112 E. Pecan Street, Suite 2100  
(210) 978-7700 Fax (210) 978-7790

Austin Dallas Ft Worth Houston Richardson San Angelo San Antonio

Bank of America  
San Antonio, Tx

Check Date: 04/27/2001

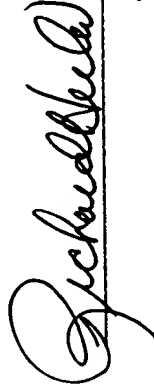
\$ \*\*\*\*595.00\*\*\*

Five hundred ninety-five and 00/100\*\*\*\*\* DOLLARS

PAY TO THE  
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Commissioner of Patents & Trademarks

Req. # 224415



AUTHORIZED SIGNATURE

⑈003590⑈ ⑆113000023⑆ 00711657953⑈

003590

Vendor ID: 11163 Req 224415 NATOS 7114657953 Check Date: 04/27/2001 Check #: 3590

Disb ID 5053843 C/M# 303032.00001 FFEE PAYEE: Commissioner of Patents & Trademarks; REQUEST#: 224415; DATE: 04/27/2001 - Filing fee and assignment fees for "Automated Database" 595.00

# POST OFFICE TO ADDRESSEE



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<b>ORIGIN (POSTAL USE ONLY)</b>		<b>DELIVERY (POSTAL USE ONLY)</b>	
PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second	Delivery Attempt	Time
Date In	Postage	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM
Mo. Day Year	Return Receipt Fee	Delivery Attempt	Time
Mo. Day Year	COD Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM
Weight	Insurance Fee	Delivery Date	Time
lbs. ozs.	Total Postage & Fees	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	Acceptance Clerk Initials	Signature of Addressee or Agent	Employee Signature
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METHOD OF PAYMENT: Express Mail Corporate Acct. No. <b>X782426</b>		Name - Please Print <b>X</b>	
Federal Agency Acct. No. or Postal Service Acct. No.		Signature of Addressee or Agent	
FROM: (PLEASE PRINT) JACKSON WALKER LLP 112 E PECAN ST STE 2100 SAN ANTONIO TX 78205-1517		TO: (PLEASE PRINT) ATTENTION: NEW PATENT APPLICATION COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON DC 20231-9999	
PHONE		PHONE	

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Mailing Label  
Label 11-F July 1997

145 / 200  
F03  
F13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>INVENTORS:</b> James Savoie Pedro G. Filipowsky	<b>ATTY DKT NO.</b> P3032.01(UTI)
<b>SERIAL NO.</b>	
<b>FILED:</b>	
<b>TITLE: AUTOMATED DATABASE PUBLISHING AND INTEGRATED MARKETING SYSTEM AND PROGRAM</b>	

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,**  
**CONTINUATION OR CIP)**

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

- ☒ original
- ☐ design
- ☐ supplemental

**NOTE:** If the declaration is for an International Application being filed as a divisional, continuation, or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

**NOTE:** If one of the following three items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION or CIP.

- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

**INVENTORSHIP IDENTIFICATION**

**WARNING:** If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if*

*plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION:  
AUTOMATED DATABASE PUBLISHING AND INTEGRATED  
MARKETING SYSTEM AND PROGRAM

**SPECIFICATION IDENTIFICATION**

the specification of which: *(complete (a), (b) or (c))*

- (a) ☒ is attached hereto  
(b) ☐ was filed on \_\_/\_\_/\_\_ as Serial No. \_\_/\_\_,\_\_ or  
☐ Express Mail No. \_\_\_\_, as Serial No. not yet known, and was amended on  
\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International Application No. PCT/US9 / /  
filed on \_\_/\_\_/\_\_ and as amended under PCT Article 19 on \_\_/\_\_/\_\_ *(if any)*.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information:

- ☒ which is material to the patentability as defined in 37, Code of Federal Regulations, § 1.56.

(also check the following, if desired)

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and  
☐ In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

**PRIORITY CLAIM (35 U.S.C. § 119)**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s)



designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☒ no such applications have been filed.  
(e) ☐ such applications have been filed as follows:

NOTE: Where item (e) is entered above and the International Application which designated the U.S. claimed priority, check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN  
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS  
U.S. APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete "Added Pages to Combined Declaration and Power of Attorney for Divisional, Continuation, or C-I-P Application" for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*List name and registration number.*)

Cline H. White  
Daniel D. Chapman  
William B. Nash  
Mark H. Miller  
Thomas Sisson  
Richard R. Ruble

Registration No. 45,213  
Registration No. 32,726  
Registration No. 33,743  
Registration No. 29,197  
Registration No. 29,348  
Registration No. 45,270

(check the following item, if applicable)

- ☐ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO:**

Cline H. White  
JACKSON WALKER, LLP  
112 E. Pecan, Suite 2100  
San Antonio, Texas 78205

**DIRECT TELEPHONE CALLS TO:**

*(Name and Telephone Number)*

Cline H. White  
(210) 978-7700

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURES**

FULL NAME OF SOLE/FIRST INVENTOR	James Savoie
INVENTOR'S SIGNATURE	<i>James D Savoie</i>
DATE OF EXECUTION	April 20, 2001
COUNTRY OF CITIZENSHIP	U.S.
RESIDENTIAL ADDRESS	943 Colliseum San Antonio, Texas 78291
POST OFFICE ADDRESS	N/A

FULL NAME OF SOLE/FIRST INVENTOR	Pedro G. Filipowsky
INVENTOR'S SIGNATURE	<i>P Filipowsky</i>
DATE OF EXECUTION	April 20, 2001

COUNTRY OF CITIZENSHIP	U.S.
RESIDENTIAL ADDRESS	943 Colliseum San Antonio, Texas 78291
POST OFFICE ADDRESS	N/A

*CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)  
FORM A PART OF THIS DECLARATION*

- ☐ Signature for subsequent joint inventors. Number of pages added: \_\_\_\_.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added: \_\_\_\_.
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.45. Number of pages added: \_\_\_\_.
- ☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47).
- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application. Number of pages added: \_\_\_\_.
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.
- ☒ Added page to Combined Declaration and Power of Attorney.

*If no further pages form a part of this Declaration then end this Declaration with this page and check the following item:*

- ☐ This declaration ends with this page.

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION**

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. §120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC §120					
U.S. APPLICATIONS		Status (Check one)			
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned	
60/200,784	April 28, 2000		x		
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLI- CATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)			

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner of Patents and Trademarks, Washington, D.C. 20231", as follows:

37 CFR 1.8(a)

☐ With sufficient postage as First Class Mail.

Date: \_\_\_\_\_, 2001.

37 CFR 1.10

☒ As "Express Mail Post Office to Addressee",  
Mailing Label No. EL548126105US

Date: April 27, 2001

  
Bianca Grossweiler

::ODMA\PCDOCS\JWDOCS\2651251\1

TO: Honorable Commissioner of Patents and Trademarks:  
BOX ASSIGNMENT/FEE  
Washington, DC 20231

Please record the attached original document(s) or copy(ies) thereof.

**1. NAME OF PARTY(IES) CONVEYING AN INTEREST:**

James Savoie

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

**2. NAME AND ADDRESS OF RECEIVING PARTY(IES):**

NAME: Alamo Iron Works, Inc.  
INTERNAL ADDRESS: P.O. Box 231  
STREET ADDRESS: 943 Colliseum  
CITY: San Antonio  
STATE/ZIP CODE: Texas 78291

Additional name(s) and address(es) attached?

☐ Yes ☒ No

**3. NATURE OF CONVEYENCE:**

☒ Assignment

☒ Date of Execution: May 1, 2000

**4. APPLICATION NUMBER(S) OR PATENT NUMBER(S):** If this document is being filed together with a new application, the execution date of the application is: 4/27/01

A. Patent Application No.(s): \_\_\_ filed \_\_\_  
Additional numbers attached?

☐ Yes ☒ No

B. Patent Registration No.(s): \_\_\_ issued \_\_\_  
Additional numbers attached?

☐ Yes ☒ No

**5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENT SHOULD BE MAILED:**

Cline H. White  
Jackson Walker L.L.P.  
112 E. Pecan, Suite 2100  
San Antonio, Texas 78205

**6. TOTAL NUMBER OF APPLICATIONS AND PATENTS INVOLVED: 1 (\$40.00/each)**

**7. TOTAL FEE (37 CFR 3.41): \$40.00**

☒ Enclosed

☐ Authorized to Charge Account No. 07-2400.

**8. DEPOSIT ACCOUNT NUMBER 07-2400.**

(Attach duplicate copy of this form if paying by deposit account.)

DO NOT USE THIS SPACE

**9. STATEMENT AND SIGNATURE:** To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Cline H. White

DATE

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner of Patents and Trademarks, Washington, D.C. 20231", as follows:

<p><u>37 CFR 1.8(a)</u></p> <p><input type="checkbox"/> With sufficient postage as First Class Mail.</p> <p>Date: _____, 2001.</p>	<p><u>37 CFR 1.10</u></p> <p><input checked="" type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. EL548126105US</p> <p>Date: April 27, 2001</p>
--	--

  
Bianca Grossweiler

::ODMA\PCDOCS\JWDOCS\2651251\1

P-303032.00001

SOLE ASSIGNMENT

WHEREAS, I, James Savoie ("ASSIGNOR"), a citizen of the United States of America, residing at 107 Talavera Parkway #134, am the inventor of an invention described as:  
SAN Antonio, TX 78232  
the computer program, coding, method, and related systems referred to as Automated Database Publishing & Integrated Marketing system ("ADPIM")

for which a patent application has not yet been filed, however it is presumed that a patent application will be filed in the future.

WHEREAS, Alamo Iron Works ("ASSIGNEE"), a Texas Corporation, of 943 Coliseum Road, P.O. Box 231, San Antonio, Bexar County, Texas, 78291-0231, is desirous of acquiring the entire right, title, and interest in and to said invention and application including any and all divisions and continuations thereof, in the United States and throughout the world, including the right to make applications for Letters Patent throughout the world in respect of said invention and to claim priority under the International Convention for such applications, and any and all Letters Patent which may be granted therefor, including any and all renewals, reissues, and prolongations thereof.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, I, said ASSIGNOR, hereby assign, sell, transfer, and set over unto ASSIGNEE, and ASSIGNEE'S successors, assigns, and legal representatives, the entire and exclusive right, title, and interest in and to said invention, related technology, and any improvements or derivative inventions of which I may be an inventor in the future, including without limitation any and all applications, renewals, divisions and continuations thereof, and all patents, and reissues thereof, which may be granted thereon in the United States and throughout the world, including the right to make applications for Letters Patent throughout the world in respect of said invention and to claim priority under the International Convention for such applications, and any and all Letters Patent which may be granted therefor, including any and all renewals, reissues, and prolongations thereof, and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; all forms of industrial property protection, including, without limitation, patents, utility models and design which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and any and all causes of action thereto that may have heretofore accrued in ASSIGNOR's favor;

ASSIGNOR hereby covenants and agrees that ASSIGNOR will communicate to ASSIGNEE, its successors, legal representatives and assigns, any facts known to ASSIGNOR respecting said invention; testify in any legal proceeding; sign all lawful papers, including without limitation all divisions, continuing and reissue applications, that may be necessary to file applications in the United States and foreign countries for said invention and to assign the same to ASSIGNEE, or any assignee acquiring title to said invention, and to execute any other papers that may be needed in connection with filing said application and securing Letters Patent thereon; make all rightful oaths; and generally do everything possible to aid ASSIGNEE, its



successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

ASSIGNOR hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to ASSIGNEE, its successors, legal representatives, and assigns, in accordance with the terms of this instrument.

ASSIGNOR hereby covenants that ASSIGNOR has the full right to convey the entire interest herein assigned, and that ASSIGNOR has not executed, and will not execute, any agreement in conflict herewith.

IN TESTIMONY WHEREOF, I herunto set my hand and seal this 1 day of May, 2000.

James D. Savoie  
By: James Savoie

State of Texas

§

§

County of Bexar

§

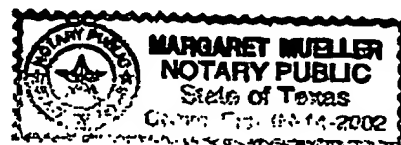
BEFORE ME, the undersigned Notary Public, personally appeared James Savoie, known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument and acknowledged to me that he/she executed the same to be his/her free act and deed.

GIVEN under my hand and seal this 1 day of May, 2000

Margaret Mueller  
Signature of Notary

MARGARET MUELLER  
Printed Name of Notary  
Commission Expires: 9-14-02

M:\MVA\Assignment Savoie



TO: Honorable Commissioner of Patents and Trademarks:  
BOX ASSIGNMENT/FEE  
Washington, DC 20231

Please record the attached original document(s) or copy(ies) thereof.

**1. NAME OF PARTY(IES) CONVEYING AN INTEREST:**

Pedro G. Filipowsky

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

**2. NAME AND ADDRESS OF RECEIVING PARTY(IES):**

NAME: Alamo Iron Works, Inc.  
INTERNAL ADDRESS: P.O. Box 231  
STREET ADDRESS: 943 Colliseum  
CITY: San Antonio  
STATE/ZIP CODE: Texas 78291

Additional name(s) and address(es) attached?

☐ Yes ☒ No

**3. NATURE OF CONVEYENCE:**

☒ Agreement Between Assignor and Purchaser

☒ Date of Execution: July 29, 1999

**4. APPLICATION NUMBER(S) OR PATENT NUMBER(S):** If this document is being filed together with a new application, the execution date of the application is: 4/27/01

A. Patent Application No.(s): \_\_\_ filed \_\_\_  
Additional numbers attached?

☐ Yes ☒ No

B. Patent Registration No.(s): \_\_\_ issued \_\_\_  
Additional numbers attached?

☐ Yes ☒ No

**5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENT SHOULD BE MAILED:**

Cline H. White  
Jackson Walker L.L.P.  
112 E. Pecan, Suite 2100  
San Antonio, Texas 78205

**6. TOTAL NUMBER OF APPLICATIONS AND PATENTS INVOLVED: 1 (\$40.00/each)**

**7. TOTAL FEE (37 CFR 3.41): \$40.00**

☒ Enclosed

☐ Authorized to Charge Account No. 07-2400.

**8. DEPOSIT ACCOUNT NUMBER 07-2400.**

(Attach duplicate copy of this form if paying by deposit account.)

DO NOT USE THIS SPACE

**9. STATEMENT AND SIGNATURE:** To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

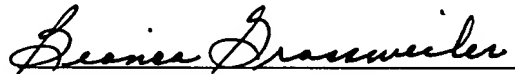
Cline H. White

DATE

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner of Patents and Trademarks, Washington, D.C. 20231", as follows:

<p><u>37 CFR 1.8(a)</u></p> <p><input type="checkbox"/> With sufficient postage as First Class Mail.</p> <p>Date: _____, 2001.</p>	<p><u>37 CFR 1.10</u></p> <p><input checked="" type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. EL548126105US</p> <p>Date: April 27, 2001</p>
--	--

  
Bianca Grossweiler

::ODMA\PCDOCS\JWDOCS\2651251\1

**Agreement Between****Pedro G. Filipowsky, Individually and/or d.b.a. Pet Software, Assignor****and****Alamo Iron Works, Inc., Purchaser**

Assignor hereby sells and fully assigns to Purchaser any and all right, title, and interest in all the works and items described below, throughout the world and forever, including but not limited to the entire right, title, and interest in any and all intangible, moral or copyright rights, etc.; renewals; extensions; pre-existing and future causes of action; rights to reproduce, prepare derivative works therefrom, distribute copies by sale, transfer, rental, etc.; perform and to display. Assignor warrants that he or she is the sole author of these works and that use of the rights transferred herein will not infringe the rights of any third party.

The works and items assigned include the programming, coding, and documentation of files used in the Purchaser's catalog database management system, also currently known as "ADPIM."

This is the entire agreement with respect to its subject matter, is governed by Texas law, and shall be construed according to its fair meaning and not for or against either party. The effective date of this Agreement is the 25th day of July, 1999.

Assignor:

Pedro G. Filipowsky  
Pedro G. Filipowsky, Individually

Purchaser: Alamo Iron Works, Inc.

Pedro G. Filipowsky  
Pet Software

Rudy Fuselier  
Signature

RUDY FUSELIER EXEC. V.P.  
Printed name and title

State of Texas

County of Bexar

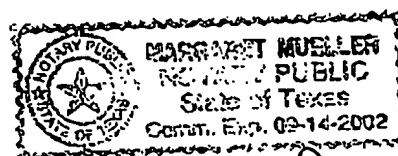
Before me the undersigned Notary Public on this date personally appeared Pedro G. Filipowsky who upon oath states that the foregoing is true and correct to the best of his information.

Sworn to and subscribed before me on this the 29 day of July, 1999, to certify which witness my hand and seal of office.

Margaret Mueller

Notary Public, State of Texas

(seal)



State of Texas

County of Bexar

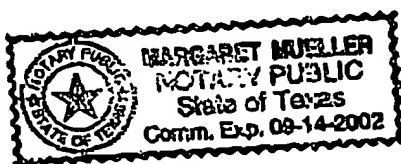
Before me the undersigned Notary Public on this date personally appeared Rudolf Treschler who upon oath states that the foregoing is true and correct to the best of his information.

Sworn to and subscribed before me on this the 29 day of July, 1999, to certify which witness my hand and seal of office.

Margaret Mueller

Notary Public, State of Texas

(seal)



ATTORNEYS & COUNSELORS  
112 East Pecan Street, Suite 2100  
San Antonio, Texas 78205  
(210) 978-7700 • fax (210) 978-7790  
www.jw.com



JACKSON WALKER L.L.P.

# 2

303032.02/CHW1  
P-303032.1 (UTI)

August 3, 2001

Express Mail

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

RE: Serial No. 09/844,970 for Automated Database Publishing and Integrated  
Marketing System and Program; Inventor: James Savoie et al, filed April  
29, 2001

Gentlemen:

Enclosed please find the following documents:

1. Original and one copy of Petition to Correct Correspondence Filing Date for "Date-In" Incorrectly Entered or Omitted on Express Mail Label, with Exhibits A-E.
2. Check for \$130 for filing fee
3. Acknowledgment postcard

Sincerely

CLINE H. WHITE

CHW/cjg  
Enclosures

Austin  
Dallas 2816997.1  
Fort Worth  
Houston  
Richardson  
San Angelo  
San Antonio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REGISTRATION/APPLICATION  
OF: James Savoie et al

REGISTRATION/SERIAL NO.:  
09/844,970

ISSUED/FILED: 29 April 2001

TITLE: Automated Database  
Publishing and Integrated Marketing System  
and Program

ATTY DKT NO. P-3032.01 (UTI)

EXAMINER: \_\_\_\_\_

GROUP ART NO. \_\_\_\_\_

TO: ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

PETITION TO CORRECT CORRESPONDENCE FILING DATE  
FOR "DATE-IN" INCORRECTLY ENTERED OR OMITTED  
ON EXPRESS MAIL LABEL  
(37 C.F.R. § 1.10(d))

1. This is a petition to accord the correspondence in the above-identified application/patent a filing date of April 27, 2001, which is the date the correspondence was deposited with the U.S.P.S. with proper postage.
2. Submitted herewith as Exhibit A is a statement of Cline H. White as to when the discrepancy was discovered and establishing that this Petition is being filed promptly thereafter. 37 C.F.R. § 1.10(d)(1).
3. Attached as Exhibit B is a true copy of the first page of the correspondence which was filed, showing both the date on which this correspondence was mailed as Express Mail Label No. EL548126105US and that the number of the Express Mail was placed thereon prior to the original mailing. 37 C.F.R. § 1.10(d)(2).
4. Correction is required because an illegible, or the wrong, "Date-In" was entered by the U.S.P.S. on the original "Express Mail" label and on the envelope delivered to the P.T.O.
5. The following establish the showing required by 37 C.F.R. § 1.10(d)(3):
  - a. **Signed Certificate of Mailing:** The new application transmittal cover letter, which is attached hereto as Exhibit B, shows that Bianca Grossweiler testified that

the patent application and associated documents were deposited with the U.S. Postal Service Express Mail Post Office to Addressee on April 27, 2001.

- b. **Post Office Filing Receipt:** A true and correct copy of the Post Office Filing Receipt is attached hereto as Exhibit C. This receipt shows that the patent application was delivered to the U.S. Post Office for next-day delivery. The filing stamp indicates that the patent was filed on April 27, 2001. The date-in, which is handwritten in by the Postal employee, is illegible. One interpretation is that the handwritten date-in is "04-29-01." However, an equally likely interpretation is that the date-in is "04-27-01," where the "7" is written in European style, with the top of the seven touching the cross, making the "7" appear to be a "9." In any case, the filing stamp clearly shows April 27, 2001, as the mailing date. The filing stamp is applied by the US Postal Service, is perfectly legible, and is more reliable than a hand-written note. Furthermore, the filing stamp is regarded by the U.S. Postal Service as the official receipt date. If the date-in notation is deciphered as "29," said date is clearly contrary to the Post Office stamp and other evidence, and was in error.

The Post Office Filing Receipt further shows that the subject application was deposited as "Express Mail" before the last scheduled pickup on the requested filing date.

- c. **United States Postal Service track/confirm-intranet item inquiry:** A true and correct copy of the United States Postal Service Tracking and Confirmation Sheet is attached hereto as Exhibit D. This tracking sheet was created by and received from the U.S. Postal Service. It identifies the item number of the mailing as EL548126105US, which is also shown as the tracking number on the new application transmittal, Exhibit A, and the Post Office Filing Receipt, Exhibit C. The Tracking/Confirmation Sheet shows that the package was mailed on April 27, 2001. It further shows that the scheduled delivery was April 28, 2001, that the package arrived in Washington on April 28, 2001, and a notice was left with the addressee (USPTO) on April 28, 2001. Finally, it indicates that the package was delivered on April 30, 2001, to an "M. Boston" at the Patent Office in Washington, D.C.
- d. **Certificate from Mr. Fastino Alva, U.S. Postal Service Customer Service Manager:** The original letter from Mr. Fastino Alva, Customer Service Manager for the U.S. Postal Service at the post office where the patent application was mailed is attached hereto as Exhibit E. It certifies that the package identified as Express Mail No. EL548126105US was mailed on July 27, 2001, and that the computer tracking system print-out (attached as Exhibit D) and the Express Mail Customer Copy label (attached as Exhibit C) are authentic and indicate a mailing date of April 27, 2001. It further states that the "Date-in" recorded by the postal employee was either written as a "29" and is an error, or was written as a "27" and is being misread as a "29." Finally, Mr. Alva requests that the PTO accept his letter as proof that the correct mailing date was April 27, 2001.



The subject patent application was deposited with the United States Postal Service for next-day delivery on April 27, 2001, as evidenced by each of the attached exhibits. The Post Office employee accepted the package and stamped the receipt with a postal stamp dated April 27, 2001, but, in the handwritten notation, wrote a date that is unclear and could be interpreted as either April 29 or April 27. The patent application arrived in Washington, D.C. for delivery on April 28, 2001; but, because April 28 was a Saturday, the Patent and Trademark Office was closed. The next day of delivery was April 30, 2001, a Monday, when in fact the patent application was delivered to the Patent and Trademark Office. The PTO gave the application a filing date of April 29, 2001.

An additional item that is further evidence that the 4-29-01 date is incorrect, is that April 29, 2001, was a Sunday. The U.S. Postal Service is closed on Sundays and will not accept express mail deliveries, therefore April 29, 2001 could not possibly be correct. Further, assuming *arguendo* that the subject patent application was mailed after the 29<sup>th</sup>, it would have been impossible for the USPTO to have received it on the 30<sup>th</sup>. Therefore, logic dictates that the application was mailed before April 29, 2001. And, as the above evidence shows, the application was delivered to the United States Postal Service for overnight delivery on April 27, 2001.

6. The petition fee (37 C.F.R. § 1.17(h)-\$130.00) is paid as follows:

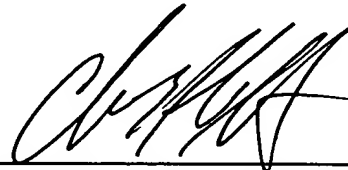
Attached is a check in the amount of \$130.00.

Authorization is hereby made to charge/credit any under payments or over payments to  
Deposit Account No. 07-2400.

A duplicate of this paper is attached.

Date: August 3, 2001

JACKSON WALKER L.L.P.  
112 E. Pecan Street, Suite 2100  
San Antonio, Texas 78205  
(210) 978-7700  
(210) 978-7790 (facsimile)



Cline White, Reg. No. 45,213

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner of Patents and Trademarks, Washington, D.C. 20231", as follows:

**EL811195684US**

<p><u>37 CFR 1.8(a)</u></p> <p><input type="checkbox"/> With sufficient postage as First Class Mail.</p> <p>Date: _____, 2001</p>	<p><u>37 CFR 1.10</u></p> <p><input checked="" type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. EL811195684US</p> <p>Date: August 3, 2001</p>
---	--

Fee

*CAROLYN GILL*  
Printed Name of Person Mailing Paper or

*Carolyn Gill*  
Signature of Person Mailing Paper or Fee

*Elva*  
P-3032.01(UTI)

CHW/BG

Date: April 27, 2001

In Re Application Of: James Savoie and Pedro G. Filipowsky  
Title: AUTOMATED DATABASE PUBLISHING AND INTEGRATED  
MARKETING SYSTEM AND PROGRAM

The date stamp of the U.S. Patent and Trademark Office will acknowledge receipt of:

- . Transmittal letter;
- . Check for \$595 for filing fee and assignments fees;
- . Declaration/Power of Attorney;
- . 2 Assignments with cover sheets;
- . Specification, claims, abstract (28 pages);
- . Five (5) sheet of drawings;
- . Non-Publication Request.

Express mail: EL548126105US

P-3032.01(UTI)

CHW/BG

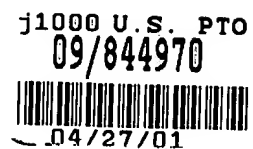
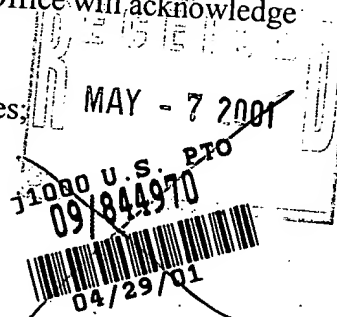
Date: April 27, 2001

In Re Application Of: James Savoie and Pedro G. Filipowsky  
Title: AUTOMATED DATABASE PUBLISHING AND INTEGRATED  
MARKETING SYSTEM AND PROGRAM

The date stamp of the U.S. Patent and Trademark Office will acknowledge receipt of:

- . Transmittal letter;
- . Check for \$595 for filing fee and assignments fees;
- . Declaration/Power of Attorney;
- . 2 Assignments with cover sheets;
- . Specification, claims, abstract (28 pages);
- . Five (5) sheet of drawings;
- . Non-Publication Request.

Express mail: EL548126105US



**JACKSON  
WALKER**

ATTORNEYS AND COUNSELORS

L.L.P. 112 E. Pecan Street, Suite 2100  
(210) 978-7700 Fax (210) 978-7790

Austin Dallas Ft. Worth Houston Richardson San Angelo San Antonio

Bank of America  
San Antonio, Tx

Check Date: 08/03/2001

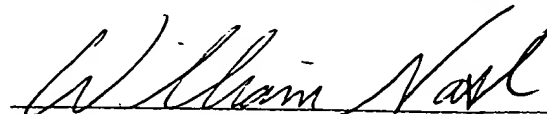
\$ \*\*\*130.00\*\*\*

One hundred thirty and 00/100\*\*\*\*\* DOLLARS

PAY TO THE  
ORDER OF

Assistant Commissioner for Patents

Req. # 23206



AUTHORIZED SIGNATURE

⑈003794⑈ ⑆113000023⑆ 007114657953⑈

003794

Vendor ID: 16229 Req 232060 NATOS 7114657953 Check Date: 08/03/2001 Check #: 3794

Disb ID 5181549 C/M# 303032.00002 FFEE

PAYEE: Assistant Commissioner for Patents; REQUEST#: 232060;  
DATE: 08/03/2001 - Filing Fee - Petition to Correct Correspondence  
Filing Date for "Date-In"

130.00

ATTORNEY DOCKET NO. P-303032.1 (UTI) (CHW)  
APPLICANT: JAMES SAVOIE ET AL  
SERIAL/REGIS NO. 09/844,970  
FILED/ISSUED 4/29/01  
TITLE: AUTOMATED DATABASE PUBLISHING AND INTEGRATED MARKETING  
SYSTEM AND PROGRAM  
MAILING DATE: 8/3/01  
EXPRESS MAIL NO. \_EL811195684US\_

ENCLOSED: PETITION TO CORRECT CORRESPONDENCE FILING DATE  
FOR "DATE-IN" INCORRECTLY ENTERED OR OMITTED ON EXPRESS MAIL  
LABEL (2 COPIES); EXHIBITS A-E; CHECK FOR \$130.

THE ASSISTANT COMMISSIONER OF TRADEMARKS (WITH THE PATENT AND  
TRADEMARK OFFICE) ACKNOWLEDGES, AND HAS STAMPED HEREON THE  
DATE OF, RECEIPT OF THE ABOVE ITEMS.



7-29-01  
76697  
RECEIVED  
JUN 28 2001  
By: \_\_\_\_\_  
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/844,970	04/29/2001	2171	515	P-3032.01 (UTI)	5	16	7

CONFIRMATION NO. 1652

**FILING RECEIPT**



\*OC000000006219040\*

Cline H. White  
JACKSON WALKER, LLP  
112 E. Pecan, Suit 2100  
San Antonio, TX 78205

Date Mailed: 06/25/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

James Savoie, San Antonio, TX;  
Pedro G. Filipowsky, San Antonio, TX;

**Assignment For Published Patent Application**

Alamo Iron Works, Inc.;

**Domestic Priority data as claimed by applicant**

THIS APPLN CLAIMS BENEFIT OF 60/200,784 04/28/2000

**Foreign Applications**

If Required, Foreign Filing License Granted 06/22/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Automated database publishing and integrated marketing system and program

**Preliminary Class**

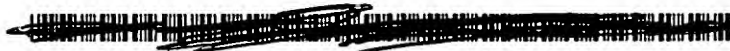
707

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**Data entry by : BEYENE, MELKAM**

**Team : OIPE**

**Date: 06/25/2001**



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

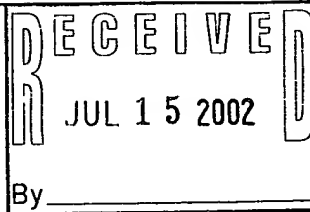
Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231





UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Cline H. White  
JACKSON WALKER, LLP  
112 E. Pecan, Suit 2100  
San Antonio, TX 78205

#4

In re Application of  
Savoie et al.  
Application No. 09/844,970  
Filed: April 29, 2001  
Atty. Dkt. No.: P-3032.01(UTI)  
Title of Invention: AUTOMATED  
DATABASE PUBLISHING AND INTEGRATED  
MARKETING SYSTEM AND PROGRAM

LETTER

COPY MAILED  
JUL 11 2002  
OFFICE OF PETITIONS

Dear Mr. White:

This letter is in response to your status inquiry submitted on July 3, 2002.

Office records indicate a petition was filed in the above-identified application on August 3, 2001. Upon the receipt of the petition, the Office of Petitions entered a flag on August 9, 2001 which indicates to anyone that handles the application of the outstanding petition that needs to be addressed.

As of today's date the Office of Petitions has not been able to obtain the application. Although office records indicate the application is presently in technology center 2100 several calls to customer service have not yielded the application. Customer service of 2100 is in the process of completing a final search for this application. If the application cannot be located the Office will conduct an "official" search. If the "official" search does not result in locating the application, the application will have be reconstructed.

Telephone inquiries related to this letter may be directed to undersigned at (703) 306-0251.

Charlema R. Grant  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy